

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Case No. CR-17-79-R-3
)	
EDUARDO MARTINEZ-)	
DE LOS SANTOS,)	
)	
Defendant.)	

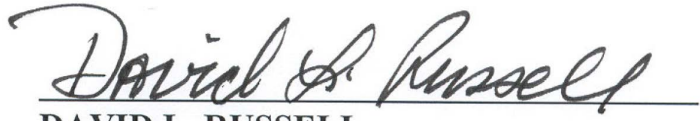
ORDER

Defendant previously filed a pro se motion [Doc. No. 198] seeking a sentence reduction under 18 U.S.C. § 3582(c)(2) based on Amendment 821 to the U.S. Sentencing Guidelines. The Court dismissed the motion on July 3, 2024 [Doc. No. 201] because Defendant's current sentence is below the amended guideline range and he is therefore ineligible for a sentence reduction under § 3582(c)(2). Defendant subsequently filed a belated and unauthorized reply brief [Doc. No. 202], contending that he is eligible for relief pursuant to § 1B1.10(b)(2)(B) of the Sentencing Guidelines. This section provides that "[i]f the term of imprisonment imposed was less than the term of imprisonment provided by the guideline range applicable to the defendant at the time of sentencing pursuant to a government motion to reflect the defendant's substantial assistance to authorities, a reduction comparably less than the amended guideline range determined under subdivision (1) of this subsection may be appropriate." However, this section does not apply to Defendant because the government did not make a motion to reflect substantial assistance

to authorities in this case. Defendant's reply therefore does not provide any persuasive argument or authority that would cause this Court to reconsider its prior order.

Accordingly, to the extent Defendant's reply requests any further relief, it is DENIED.

IT IS SO ORDERED THIS 8th day of August, 2024.


DAVID L. RUSSELL
UNITED STATES DISTRICT JUDGE